

automatically displaying on an interior display said data to occupants of said vehicle after it is automatically detected by said monitoring step that said vehicle comes within a defined range of said store.

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8, 10-18, 20-24, 26-40, 42-57, and 60-63 are presently active in this case, Claims 1, 18, 20, 24, 29, 40, 43, 52, and 60 amended and Claims 19, 25, 41, and 64 canceled by way of the present amendment.

In the outstanding Official Action; Claims 1, 3-7, 10-14, 17, 27-29, 37, 38, 43-45, 49-51, 56, 57, 60 and 61 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,627, 549 to Park; Claims 2, 8, 15-16, and 30-33 were rejected over Park in view of Official Notice taken by the Examiner; Claims 18-20, 39-42, 46-48, 52, and 64 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Park in view of U.S. Patent No. 5,867,780 to Malackowski et al.; and Claims 21-23, 34-36, and 53-55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Park in view of U.S. Patent No. 6,060,993 to Cohen.

Turning now to the merits, Applicants' invention is directed to a method and system for distributing promotional information. The inventors of the present application have identified a need for a system that automatically provides targeted promotional information in the way of advertising, coupons, etc. to consumers at a time when work or personal obligations do not otherwise command the consumers' attention. The claimed invention

meets this need by providing a method and system for automatically distributing targeted promotional information to occupants of a vehicle based on a position of the vehicle in relation to a store or commercial entity associated with the promotional information. In order to expedite issuance of a patent in this case, Applicants have amended Claims 1, 29, 43, and 60 to clarify the patentable distinctions of the present invention over the cited references.

Specifically, Applicants' Claims 1, 29, 43, and 60 recite an in-vehicle promotion system that monitors a position of the vehicle in relation to a commercial entity, transmits or communicates identity information identifying a person associated with the vehicle and automatically displays promotional information targeted for the person based on a purchase history of the person when the monitoring indicates that the vehicle is in a predetermined position in relation to the commercial entity. As discussed in the August 12, 2002, interview, these claim changes are intended to clarify that active monitoring of the vehicle position is used in the promotions system and method. Such active monitoring may be performed by receiving position data provided by an external monitoring device. As also discussed in the August 12, 2002, interview, the automatic display of promotional information in response to the position monitoring clarifies that when the vehicle is in a predetermined position in relation to the store or commercial entity, the promotional information is automatically conveyed to the occupants via the display. In this regard, the entire content of the promotional information need not be displayed on the display; it is sufficient that the display include a visual indication that promotional information has been received for the occupant to consider. With this configuration, the operator of the vehicle can view advertising of retailers, restaurants, etc. that are in the vicinity of the vehicle and this display is automatically updated as the vehicle moves. Finally, the independent claims now clarify that

the vehicle transmits or communicates identifying information identifying a person associated with the vehicle and that promotional information is targeted to the person based on the person's purchase history.

In contrast, the reference to Park discloses a vehicle information device that displays advertising information based on user input to the system. Specifically, the system of Park receives radio broadcasts of voice and data advertising, as well as GPS information indicating the location of the vehicle associated with the system. The voice advertising broadcast is heard by the user who presses the "where" information button 102f when the user would like more detailed information about the retailer advertised in the voice advertisement. Once the "where" button is selected, a processor of the system sends the data advertising to the display to form a text advertising message such as the one shown in Figure 3. In addition, the GPS system is used to provide directions to the retailer or restaurant, etc., that is associated with the advertisement. However, the detailed information provided in Park is not targeted to a person associated with the vehicle based on the person's purchase history as now claimed in Claims 1, 29, 43, and 60. Moreover, as discussed in the August 12, 2002, interview, the system of Park teaches displaying promotions information in response to user input and does not automatically display promotional information in response to a monitoring of the position of the vehicle that indicates that the vehicle is in a predetermined position with respect to the store or commercial entity as also claimed in independent Claims 1, 29, 43, and 60.

Moreover, the references to Cohen and Malackowski et al do not correct the deficiencies of Park. Cohen discloses a public advertising system wherein a monitor mounted on the exterior of a mobile vehicle generates a publicly viewable message to pedestrians who see the vehicle. Of course, such publicly viewable messages are not targeted to a person

associated with the vehicle based on the person's purchase history. Malakowski et al. discloses a system and method for wireless delivery of "targeted" messages to prospective customers.<sup>1</sup> However, such messages are considered "targeted" only because the prospective customer initiates the contact with the advertiser.<sup>2</sup> Nevertheless, the Official Action cites Column 9, lines 19-23 and 37-50 as teaching providing promotional benefits to identified persons associated with the vehicle.<sup>3</sup> However, this portion of the reference merely describes providing printing advertisements to vehicle occupants and use of a user ID to gain access to the MTSO. Applicants submit that neither this disclosure nor any other disclosure in Malakowski teaches or suggests receiving promotional information targeted to a person associated with the vehicle based on a purchase history of the person.

Thus, Claims, 1, 29, 43, and 60 patentably define over the cited references. As independent Claims 1, 29, 43, and 60 patentably define over the cited references as detailed above, dependent claims 2-8 and 10-28, 30-42, 44-57, and 61-64 which depend therefrom respectively also patentably define over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in

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<sup>1</sup>Malakowski et al. at Col. 2, lines 12-14.

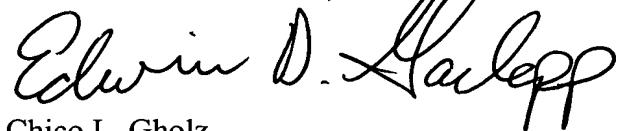
<sup>2</sup>Id. at Col. 2, lines 23-36.

<sup>3</sup>Official Action at page 9, item 9, line 4 - page 10, line 6.

condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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**IN THE CLAIMS**

Please cancel without prejudice or disclaimer, Claims 19, 25, 41, and 64.

Please amend Claims 1, 18, 20, 24, 29, 40, 43, 52, and 60 as shown below.

1. (Amended) An in-vehicle promotions system installed in a vehicle, comprising:
  - a position receiver configured to provide automatically detected position data for said vehicle thereby monitoring a position of said vehicle in relation to a commercial entity;
  - a controller connected to said receiver;
  - a wireless communications device connected to said controller and configured to transmit identity information identifying a person associated with said vehicle and to receive promotional information targeted for said person based on a purchase history of said person [and connected to said controller]; and
  - an interior display configured to be installed in an interior of said vehicle and connected to said controller,
  - wherein said controller automatically outputs said promotional information to said interior display based on said position data indicating that said vehicle is in a predetermined position in relation to said commercial entity.

18. (Amended.) A system as recited in claim 1, further comprising a store system wirelessly linked with said wireless communications device, said store system comprising:  
a second wireless communications device;  
a store controller connected to said second wireless communications device; and  
said store controller providing automatic promotional benefits to said vehicle [identified persons].

20. (Amended.) A system as recited in claim [19] 18, wherein said controller is further adapted to communicate to said store controller an indication of promotion displayed on said display.

24. (Amended.) A system as recited in claim 21, further comprising a store controller in communication with said second controller and wherein said store controller provides automatic promotional benefits to [identified persons] said vehicle.

29. (Amended) An in-vehicle promotions system installed in a vehicle, comprising:  
an RF transmitter configured to transmit identity information identifying a person associated with said vehicle;  
an RF receiver configured to receive transmitted promotions information targeted for said person based on a purchase history of said person;  
a controller connected to said receiver;  
a device configured to monitor a position of said vehicle in relation to a commercial entity; and

an interior display configured to be installed in an interior of said vehicle and connected to said controller wherein said controller causes said promotions information to be automatically displayed on said interior display based on an automatically detected position of said vehicle which indicates that the vehicle is in a predetermined position with respect to the commercial entity.

40. (Amended.) A system as recited in claim 39, wherein said store system comprises:

a second wireless controller; and  
a store controller which provides automatic promotional benefits to [identified persons] said vehicle.

42. (Amended.) A system as recited in claim [41] 40, wherein said controller further communicates to said store controller an indication of promotion displayed on said display.

43. (Thrice Amended) A method of displaying promotions information to a vehicle occupant, comprising:

transmitting identifying information identifying a person associated with said vehicle;  
storing data corresponding to [said] promotions information targeted for said person  
based on a purchase history of said person in said vehicle;  
monitoring a position of said vehicle in relation to a store with which the promotions information is associated; and

automatically displaying said data on an interior display after it is automatically detected by said monitoring step that said vehicle comes within a defined proximity to the store with which said promotions information is associated.

52. (Amended.) A method as recited in claim 43, comprising:

[storing personal identification information of one or more persons associated with said vehicle;

communicating to said store said personal identification information and identification of said data after said data is displayed; and]

providing to said [one or more persons] person an automatic promotional benefit corresponding to said data.

60. (Amended) A method of distributing promotions information, comprising:

forming a database of promotions information of at least one store;

communicating to said store identifying information identifying a person associated with said vehicles;

wirelessly distributing data corresponding to [said] promotions information, targeted for said person based on a purchase history of said person, to a vehicle;

monitoring a position of said vehicle in relation to a store; and

automatically displaying on an interior display said data to occupants of said vehicle after it is automatically detected by said monitoring step that said vehicle comes within a defined range of said store.